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Claims 1-61 are pending in this application. Claims 2-5, 9, 13-45, 47 and 48 are withdrawn, claims 1, 6-8, 10-12, 46, and 49-60 are rejected, and new claim 61 has been added. Claims 1 and 7 have been amended. No new matter has been added. Reconsideration is requested.

Response to Claim Rejections - 35 U.S.C. § 103

Claims 1, 6-8, 10-12, 46, and 49-60 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jansen (U.S. Patent No. 6,528,006) in view of Yamane et al. (U.S. Patent No. 5,875,004).

Claim 1 and dependent claims 6-8, 10-12 and 50 as amended recite the step of partially cutting a material segment with a beam wherein a path of the beam is controlled by a process control unit based upon a pattern determined by comparing the material segment to a target image. This is not taught by the combination of Jansen and Yamane.

In Jansen, a "thickness is measured pointwise and stored ... to generate the setting parameters for the laser required for the separation and/or areawise ablation, the parameters being for example, the energy density, the pulse rate and the effective duration." From a comparison of the thickness distribution and comparison of the setpoint thickness distribution, the variations from place to place is determined and the degree to which the surface layer must be ablated is determined." Col. 2, lines 47-49. In col. 4, lines 39-46, Jansen discloses that the material is placed in a vacuum chamber and the chamber is moved relative to the laser beam with a controlled stepping motor at a constant speed. Jansen does not teach or suggest controlling the path of the beam based upon a pattern determined by comparing the material segment to a target image as now claimed.

In the Office Action it states that Yamane teaches a process control unit to compare a workpiece to a target image to automatically execute visual inspection. In Yamane, the CPU

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provides inspection results based upon imaged data. Yamane does not teach or suggest controlling a path of a beam as now claimed. Since neither Jansen or Yamane teach controlling a path of a beam as claimed, the combination of Jansen and Yamane fails to provide a *prima facie* basis to reject the claims and thus, the rejection should be withdrawn.

Claim 46 recites method steps of imaging a tissue sheet to evaluate thickness and cutting the tissue sheet to separate portions of the tissue sheet with a thickness outside of a selected range. Claim 46 recites steps of imaging and cutting a tissue sheet. Neither Jansen nor Yamane teach the steps of imaging and cutting a tissue sheet. Jansen discloses a method of cutting a plastic film or material, not a tissue sheet. Dependent claims 49 and 51-60 are allowable based upon the allowable of claim 46.

Reconsideration and withdrawal of the rejection of claims 1, 6-8, 10-12, 46 and 49-60 are respectfully requested.

New claim 61 is added. Favorable action with respect to new claim 61 is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: Hallie A. Finucane

Hallie A. Finucane, Reg. No. 33,172
Suite 1400 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

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